IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 424 of 2007()
(Crime No. 541/2006 of Aryanadu Police Station)

: PETITIONERS/ACCUSED 1,2 & 4
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1. VIPIN KUMAR @ KUMAR, AGED 22 YEARS,
S/O VIJAYAN, VINEESH BHAVAN, CHERIYA ARYANADU,
ARYANADU, NEDUMANGADU.

2. VINEESHKUMAR @ REJI, AGED 20 YEARS,
S/O VIJAYAN, RESIDING IN VINEESH BHAVAN,
CHERIYA ARYANADU, ARYANADU, NEDUMANGADU.

3. MONI, AGED 32 YEARS,
S/O.GEORGE, THOOMPUMKONAM, CHERIYA ARYANADU,
ARYANADU P.O., NEDUMANGADU.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR - ADV. SHRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 424 OF 2007

Dated this the 31st day of January, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos.1, 2 and 4 in Crime No.541/06 of Aryanadu Police Station for offences punishable under Sections 143, 147, 148, 341, 324, 320 and 308 read with section 149 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia, that the de facto complainant was attacked with knife and chopper and has sustained injuries including fracture. The occurrence took place on 8.12.2006 at 7.30 a.m.

3. Considering the above facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. However, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail considered by the Magistrate. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 3.2.2007 and 6.2.2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. After interrogation, the petitioners shall be produced before the Magistrate,

who is having jurisdiction, on the same day and the Magistrate shall consider the application, if any, filed by the petitioners for regular bail preferably on the same date on which it is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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